

**DEPARTMENT OF EDUCATION
SPECIAL EDUCATION PROGRAMS
Wagner School District
Focus Monitoring Report 2007-2008**

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Dates of On Site Visit: April 17 and 18, 2008

Date of Report: May 5, 2008

3 month update due: August 5, 2008 Date Received: August 1, 2008
6 month update due: November 5, 2008 Date Received: October 31, 2008
9 month update due: February 5, 2008 Date Received:
Date Closed: November 11, 2008

Program monitoring and evaluation.

In conjunction with its general supervisory responsibility under the Individuals with Disabilities Education Act, Part B, Special Education Programs (SEP) of the Office of Educational Services and Support shall monitor agencies, institutions, and organizations responsible for carrying out special education programs in the state, including any obligations imposed on those agencies, institutions, and organizations. The department shall ensure:

- (1) That the requirements of this article are carried out;
- (2) That each educational program for children with disabilities administered within the state, including each program administered by any other state or local agency, but not including elementary schools and secondary schools for Indian children operated or funded by the Secretary of the Interior:
 - (a) Is under the general supervision of the persons responsible for educational programs for children with disabilities in the department; and
 - (b) Meets the educational standards of the state education agency, including the requirements of this article; and
- (3) In carrying out this article with respect to homeless children, the requirements of the McKinney-Vento Homeless Assistance Act, as amended to January 1, 2007, are met. (Reference- ARSD 24:05:20:18.)

State monitoring--Quantifiable indicators and priority areas.

The department shall monitor school districts using quantifiable indicators in each of the following priority areas, and using such qualitative indicators as are needed to adequately measure performance in those areas:

- (1) Provision of Free Appropriate Public Education (FAPE) in the least restrictive environment;
 - (2) Department exercise of general supervision, including child find, effective monitoring, the use of resolution meetings, mediation, and a system of transition services as defined in this article and article 24:14; and
 - (3) Disproportionate representation of racial and ethnic groups in special education and related services, to the extent the representation is the result of inappropriate identification. (Reference-ARSD 24:05:20:18:02.)
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State enforcement -- Determinations.

On an annual basis, based on local district performance data, information obtained through monitoring visits, and other information available, the department shall determine whether each school district meets the requirements and purposes of Part B of the IDEA...

Based upon the information obtained through monitoring visits, and any other public information made available, Special Education Programs of the Office of Educational Services and Support determines if the agency, institution, or organization responsible for carrying out special education programs in the state:

- Meets the requirements and purposes of Part B of the Act;
- Needs assistance in implementing the requirements of Part B of the Act'
- Needs intervention in implementing the requirements of Part B of the Act; or
- Needs substantial intervention in implementing the requirements of Part B of the Act.
(Reference-ARSD 24:05:20:23.04.)

Deficiency correction procedures.

The department shall require local education agencies to correct deficiencies in program operations that are identified through monitoring as soon as possible, but not later than one year from written identification of the deficiency. The department shall order agencies to take corrective actions and to submit a plan for achieving and documenting full compliance.
(Reference-ARAD 24:05:20:20.)

FREE APPROPRIATE PUBLIC EDUCATION IN THE LEAST RESTRICTIVE ENVIRONMENT

Finding: Meets Requirements

Corrective Action: none

GENERAL SUPERVISION (1)

ARSD 24:05:25:04.02. Determination of needed evaluation data. As part of an initial evaluation, if appropriate, the individual education program team required by § 24:05:27:01.01 and other individuals with knowledge and skills necessary to interpret evaluation data, determine whether the child has a disability, and determine whether the child needs special education and related services, as appropriate, shall:

- (1) Review existing evaluation data on the child, including:
 - (a) Evaluations and information provided by the parents of the child;
 - (b) Current classroom-based assessments and observations; and
 - (c) Observations by teachers and related services providers; and
- (2) Based on the above review and input from the student's parents, identify what additional data, if any, are needed to determine:
 - (a) Whether the student has a particular category of disability as described in this article;
 - (b) The present levels of performance and educational needs of the student; and –
 - (c) Whether the student needs special education and related services.

The school district shall administer tests and any other evaluation materials as may be needed to produce the data required to make the determinations listed in subdivision (2) of this section. If no additional data are needed to make the determinations listed in subdivision (2) of this section, the school district shall notify the student's parents of this fact and the reasons for this decision. The group described in this section may conduct its review without a meeting.

ARSD 24:05:25:04. Evaluation procedures -- General. School districts shall ensure, at a minimum, that evaluation procedures include the following:

(7) The child is assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, general intelligence, academic performance, communicative status, and motor abilities; and

(8) The evaluation is sufficiently comprehensive to identify all of the child's special education and related services needs, whether or not commonly linked to the disability category in which the child has been classified.

ARSD 24:05:25:04.03. Determination of eligibility. Upon completing the administration of tests and other evaluation materials as required by this chapter, the individual education program team and other individuals required by §24:05:25:04.02 shall determine whether the student is a student with a disability, as defined in this article. The school district shall provide a copy of the evaluation report and the documentation of determination of eligibility to the parent. A student may not be determined to be a student with a disability if the determinant factor for that decision is lack of instruction in reading or math or limited English proficiency and if the student does not otherwise meet the eligibility criteria under chapter § 24:05:24.01

ARSD 24:05:24.01:01. Students with disabilities defined. Students with disabilities are students evaluated in accordance with chapter 24:05:25 as having autism, deaf-blindness, deafness, hearing impairment, mental retardation, multiple disabilities, orthopedic impairment, other health impairments, emotional disturbance, specific learning disabilities, speech or language impairments, traumatic brain injury, or visual impairments including blindness, which adversely affects educational performance, and who, because of those disabilities, need special education or special education and related services. If it is determined through an appropriate evaluation, under chapter 24:05:25, that a student has one of the disabilities identified in this chapter, but only needs a related service and not special education, the student is not a student with a disability under this article. If, consistent with this chapter, the related service required by the student is considered special education, the student is a student with a disability under this article.

ARSD 24:05:24.01:12. Multiple disabilities defined. Multiple disabilities means concomitant impairments (such as a cognitive disability-blindness or a cognitive disability-orthopedic impairment), the combination of which causes such severe educational needs that they cannot be accommodated in special education programs solely for one of the impairments. Multiple disabilities does not include deaf-blindness.

Finding: File reviews completed by the monitoring team indicated in two student files all areas related to the suspected disability were not evaluated, nor was information from past evaluations pulled forward to determine eligibility. Both students are on the 2007 child count as multiple disabilities; however, file documentation does not support it.

Corrective Action: Document the specific activities and procedures that will be implemented and the data/criteria that will be used to verify compliance.	Timeline for Completion	Person(s) Responsible	(SEP Use Only) Date Met
1. Activity/Procedure: The district will review and revise procedures in their comprehensive plan for special education, indicating how the district along with parent input will determine what areas to evaluate and/or what information needs to be pulled forward to determine	August 10, 2008	Administrators and special education staff	3 month CAP report is accepted. Completion of all

<p>student's eligibility for special education or special education and related services. In addition the district will conduct in-service regarding the procedures to appropriate staff.</p> <p>Data Collection: The district will submit a copy of the revised procedure and date of the training, who conducted the training, agenda item(s) and who was in attendance to SEP</p> <p>2. Activity/Procedure: For both students identified at the exit conference, the district, along with the parents, must determine what evaluations are needed in the areas of suspected disabilities to determine eligibility for special education or special education and related services. Documentation of what evaluations are needed and what information will be pulled forward should be documented on a prior notice/consent to parents. If any evaluations are needed, the district must complete the evaluation and then meet with the student's IEP team to determine eligibility and develop an IEP, if needed.</p> <p>Data Collection: The district will submit the file reviews, prior notices and eligibility documentation for both students.</p> <p>3. The district will ensure children who are identified on child count meet the eligibility definition for Multiple Disabilities.</p> <p>Data Collection: The Special Education coordinator will check all student files identified as Multiple Disabilities on the 2007 child count to verify information is accurate. Total number of files reviewed, along with findings will be reported to SEP. If student identification does not support Multiple Disabilities, the district must indicate steps it will take to correct the issues.</p>	<p>August 10, 2008</p> <p>August 10, 2008</p>		<p>activity is pending the approval of information submitted in October 2008.</p> <p>6 month CAP Approved 11-08</p>
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3 month Progress Report:

1. Rita Pettigrew, team leader, shared a file review sample from the North Central Cooperative to track, collect, maintain and report accurate child count data. The Wagner School special education staff met May 1, 2008 at 7:30 AM to review the File Review form revised by Ericka Kotab to meet our school's need. The staff agreed to use the revised form starting with the two student files that need to be reconciled. The Special Education Coordinator will need to contract with a qualified person to provide training to the Wagner Community School special education staff and service providers from South Central Cooperative. A copy of the revised form follows:

FILE REVIEW
(Determination for Initial or Re-Evaluation)

Student _____ School _____ Grade _____

Date _____ Suspected disability _____

Existing information: If a previous evaluation is going to be used to determine eligibility, then that information should also be noted on the prior notice/consent form. For example, "As discussed in our phone conversation, Joe's ability score has been in the average range on the past two evaluations. For that reason, we will not be reevaluating those skills. His ability score from January 2003 will be used to determine eligibility for special education services." The following information will be carried forward to the current evaluation:

Data	Date

New information:

Possible Evaluation(s)	Addressed by Evaluation	Assessment data needed
Cognitive/Intellectual Ability	May include psychological testing to determine cognitive (ability) of student.	Y N
Academic Achievement	<u>Circle areas which need to be evaluated.</u> Listening comprehension, written language, reading fluency, basic reading, reading comprehension, math calculation, and math reasoning.	Y N
Communication	May include speech (production of speech-sounds, voice and/or fluency) and/or language (oral /expressive and receptive).	Y N
Behavioral/Social	May include behavioral assessments (ability to relate to others and/or conduct oneself appropriately).	Y N
Adaptive Behavior	May include assessments to evaluate daily living skills.	Y N
Developmental (for Preschool use only)	Cognitive, language, adaptive, and personal social, fine motor, and/or gross motor.	Y N
Motor Skills	May include evaluation of large muscle skills and/or perceptual motor and small muscle skills.	Y N
Health/Physical Status	May include relevant health issues, including vision and/or hearing evaluation	Y N
Transition	Requires at age 16 and up	Y N
Classroom Observation		Y N
Other:		Y N

Parents/Guardian(s) would like to see the additional areas evaluated:

2. For the two students identified at the exit conference, the Wagner School special education staff met May 1, 2008 at 7:30 AM to determine the course of action to plan for the file reviews to be implemented for both. School ended May 14, 2008 and it was determined that the first order of business for the 2008-2009 school year is to complete the file reviews, prior notices and eligibility documents. The date for completion of the third grade male student at Wagner School is scheduled for 10/05/2008. The preschool female student will be attending Marty Indian School and her meeting with both school representatives will take place by 08/15/2008. The district will submit all required documentation by 10/05/2008 allowing for process to be completed in its entirety and according to IDEA.

3. The special education coordinator will check all student files identified as Multiple Disabilities on the 2007 Child Count to verify information as accurate. The report will include the total number of files reviewed, with findings reported to SEP. The district will follow the process if any student files are found to be lacking the correct documentation required to support the category. This will be completed by 10/05/2008.

6 month Progress Report:

1. The Wagner Community School reviewed and revised the special education comprehensive plan and a final copy was submitted to the school board and state department. These policies and procedures were approved by the school board on May 9, 2008. Wagner Community School received notification from South Dakota Department of Education in August 2008 that Wagner Community School District's comprehensive plan for special education had been approved by the state department and is on file with their office.

2. The district met with parents and an IEP team to consider reevaluation of the two students identified at the exit conference. The district reviewed the files, met as a team, and pulled forward necessary information to re-determine eligibility for both students.

Student 1: Student identified on 2007 child count under the disability category multiple disability 530 it was determined by the IEP team, along with the parents that further evaluation was necessary to determine eligibility. The IEP team conducted new assessments and met to review eligibility criteria. The team determined the student's disability category would be changed from 530 Multiple Disabilities to 560 Autism according to SD guidelines. Documentation of evaluation results supports the disability category.

Student 2. The IEP team met to discuss special education eligibility. The team pulled forward previous assessment information to assist with determining eligibility. This information is documented and consent was received from the parents. The team agreed that no further evaluations were necessary to determine eligibility. The student continues to qualify for special education services under the category 530 according to SD guidelines.

3. Donna Huber met on 10/17/08 to provide training and consultation to Wagner special education teachers and the special education coordinator at Wagner Community School. The Special Education coordinator reviewed all student files identified as Multiple Disabilities on the 2007 child count to verify information is accurate. A total of six files were reviewed.

Two students continue to be eligible for services under the category 530. The team determined that additional assessments were necessary when determining eligibility. Team meetings were held, additional evaluations were conducted, and students continued to be eligible under the category 530. All PWN, evaluation reports, and eligibility documents are filed.

The IEP team met and determined that previous assessments needed to be pulled forward in order to appropriately determine eligibility on three students who were served under the category 530 on 2007 child count. The team agreed no further evaluations were necessary to determine eligibility. The students continue to qualify for special education services under the category 530 according to SD guidelines. This information is documented and consent was received from parents at team meetings.

Student 1: The IEP team pulled forward previous assessment reports, conducted further assessments and determined the student was eligible for special education services under SD guidelines in the category 560 Autism. The student's disability category was changed from 530 Multiple Disabilities to 560 Autism with the IEP team and parent consent. Documentation of evaluation results supports the disability category.

Table I. Multiple Disabilities

Student Number	Child Count Eligibility 2007-2008	Child Count 2008-09	Date of last evaluation	District determination of disability	Corrective Action taken	Date Completed
051286456	530	530	1-15-08	8-13-08	Pulled forward previous assessment information. The team met to determine eligibility.	8-13-08
037158205	530	560	10-16-08	10-16-08	Team met and determined additional assessments were necessary to determine eligibility.	10-16-08
029962549	530	530	10-29-08	10-29-08	Team met and determined additional assessments were necessary to determine eligibility.	10-29-08
Out district Placement	530	530	8-24-07	8-24-07	File review determined that multiple disability is the appropriate category under SD criteria.	10-17-08 file review
023672512	530	Moved	3-27-08	3-27-08	In evaluation process, student moved out of district.	10-17-08 file review
022359118	530	530	10-16-08	10-6-08	Pulled forward previous assessment information. The team met to determine eligibility.	10-6-08

9 month Progress Report:

DISPROPORTIONALITY

Finding: Meets Requirements

Corrective Action: none